



# NEW YORK STATE UNIFIED COURT SYSTEM APPLICATION FOR LEAVE\*

UCS-48  
Rev: 3/24

\*Excluding FMLA for Childbirth/ Childcare  
(see UCS-48-CL)

## Applicant Information

Name \_\_\_\_\_ Title \_\_\_\_\_

Employee ID \_\_\_\_\_ NU \_\_\_\_\_ Court/ Agency \_\_\_\_\_

| Non-Discretionary Leaves              | From  | Through | Type of Accrual(s) to be used |
|---------------------------------------|-------|---------|-------------------------------|
| Family and Medical Leave with pay*    | _____ | _____   | _____                         |
| Family and Medical Leave without pay* | _____ | _____   | _____                         |
| Military Leave                        | _____ | _____   | _____                         |

| Discretionary Leaves                          | From  | Through | Type of Accrual(s) to be used |
|---|-------|---------|-------------------------------|
| Leave with Pay (Explain Purpose for Leave)    | _____ | _____   | _____                         |
| Leave without Pay (Explain Purpose for Leave) | _____ | _____   | _____                         |
| Other Leaves (Explain Purpose for Leave)      | _____ | _____   | _____                         |

Explain Purpose \_\_\_\_\_

## Employee Affirmation

I hereby affirm that to the best of my knowledge, the information reported is accurate. I understand that the granting of such leave does not extend my employment beyond a period where it would otherwise terminate by operation of law, rule or regulation. I also understand that it is my responsibility to stay in contact with the local administrative office during my leave.

Employee Signature \_\_\_\_\_ Phone (During Leave) \_\_\_\_\_ Date \_\_\_\_\_

I am a Peace Officer and affirm I have made the necessary arrangements to safeguard my firearm during leave.

## Local Chief Clerk Or Designee/ OCA Supervisor

Discretionary Leave: Recommend Approval Recommend Denial (Attach Explanation)

Employee is a Peace Officer. I have reviewed this request and determined that this employee will not be able to attend annual firearms requalification. Arrangements will be made to safeguard the employee's firearms at the court/agency.

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## Administrative Approvals: NYC Chief Clerk/ District Executive/ OCA Director

Employee not eligible for FMLA: Not employed for 12 months Does not have 1250 hours of paid service  
Has already exhausted FMLA entitlement for the calendar year

FMLA Designation has been issued for the period \_\_\_\_\_ through \_\_\_\_\_

Military Leave approved as requested and a copy sent to the appropriate Administrative Office

Military Leave approved with the following changes: Leave Type: \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Recommend granting of discretionary leave as requested Discretionary leave denied

Required documentation received and supports the request for leave

Not eligible for leave requested. Recommend granting the following leave type: \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## Deputy Chief Administrative Judge/ Chief Administrative Judge (or Designee)

Discretionary Leave(s) approved as recommended above

Discretionary use of accruals @ \_\_\_\_\_ % during Non-discretionary/ FMLA leave approved as recommended above

Discretionary Leave(s) approved with changes: Leave Type: \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Leave Type: \_\_\_\_\_ From \_\_\_\_\_ Through \_\_\_\_\_

Discretionary Leave denied

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

## EMPLOYEE INSTRUCTIONS-APPLICATION FOR LEAVE (UCS-48)

Use the UCS-48 when requesting the following leave types:

FMLA - Family and Medical Leave (*\*excluding FMLA for Childbirth/Childcare*)  
Extended Medical Leave  
Military Leave  
Bar Examination Leave  
Conference/Professional Education Leave  
Bone Marrow/Organ Donation  
Leave With Pay  
Leave Without Pay

*\*See UCS-48-CL*

### Types of Leaves Requiring the UCS-48

A description of the types of leaves that require the UCS-48 is attached. Additional information is available in the collective bargaining agreements and the Rules of the Chief Judge and is posted on the court system's intranet. Employees are reminded that except for certain verified FMLA absences using accruals is discretionary.

### Supporting Documentation

Appropriate documentation to support the leave request must be attached to the UCS-48 when submitted. Please refer to the attached summary description of types of leaves for information regarding the documentation required. If the leave is related to a medical condition or procedure for yourself or a covered individual, specific medical forms must be completed and are available from your local administrative office.

### Steps for Completing the UCS-48

- Complete Name, Employee ID, Court/Agency, Title and Negotiating Unit (NU) in the spaces provided.
- Check appropriate box(es) corresponding to the leave(es) requested.
- Indicate the start and end dates in the FROM/THROUGH space provided. The "THROUGH" date is the last date of the leave.
- Indicate the Types of Accrual(s) to be used in the space provided, if applicable.
- Indicate the Purpose for Leave.
- Complete the Employee Affirmation. **Note:** Employees who are Peace Officers must indicate by check box and initials that they have made the necessary arrangements to safeguard their weapon during their leave. Attach supporting documentation.
- Submit the completed form and supporting documentation to your administrative office at least six (6) weeks in advance of the start date or as soon as practicable.

The UCS-48 is available on the court system's intranet in fillable format. *See* the "Forms" link on the Division of Human Resources page ([inside-UCS.org: Division of Human Resources - Forms](https://inside-UCS.org/Division%20of%20Human%20Resources%20-%20Forms))

### Returning From Leave

It is recommended that you keep in touch with your administrative office while you are on an approved leave particularly if your circumstances change. Two weeks prior to the end date of your approved leave, you must contact your administrative office to discuss a plan for your return to work.

## TYPES OF LEAVES REQUIRING THE UCS-48

### **Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) requires the court system extend to eligible employees the right to be absent from work for certain family and medical reasons without loss of job security or group health insurance benefits for up to 12 weeks each calendar year. Eligible employees with a spouse, son, daughter or parent on active duty or call to active-duty status in the National Guard or Reserves may use the 12 weeks to address certain military events. FMLA also includes a special leave that permits eligible employees to take up to 26 weeks to care for a covered service member during a single 12-month period.

The 12 weeks of leave may be paid or unpaid at the employee's option. An employee may use paid sick leave benefits including sick leave bank credits. An employee also may choose to substitute appropriate leave accruals for any of the situations covered by FMLA or opt to take FMLA leave without pay even if the employee has accrued leave credits. FMLA leave runs concurrently with certain paid or unpaid leave benefits. The employee is required to submit appropriate medical documentation.

For more information, refer to the *Guide to the FMLA Act for Nonjudicial Employees* available through your administrative office or on the court system's intranet.

### **Military Leave**

An employee is generally entitled to 22 workdays or 30 calendar days (whichever is greater) of paid military leave per calendar year or period of continuous absence. An employee activated for military duty who has exhausted all other military leave benefits may be placed on a military leave without pay status. Employees may refer to sections 242 and 243 of the Military Law. The employee is required to submit a copy of the military orders.

### **Bar Examination Leave**

Certain employees may be granted up to two weeks of leave without pay immediately preceding the scheduled date of the NYS Bar Examination subject to the operating needs of the court. Certain employees may be granted up to two days of leave with pay to take the NYS Bar Examination and, if necessary, one day with pay to review the results of such examination. The employee is required to submit supporting documentation.

### **Conference/Professional Education Leave**

Employees may be eligible for leave with pay to attend conferences of recognized professional organizations or other educational seminars that directly relate to the employee's profession or work duties, and for attorneys, to attend continuing legal education programs. The employee is required to submit supporting documentation.

### **Bone Marrow and Organ Donor Leave**

An employee is entitled to receive up to 30 days of paid leave without charge to accrual for an organ donation, and up to 7 days of paid leave for a bone marrow donation. The employee is required to submit appropriate medical documentation.

### **Leave With Pay**

An employee who is necessarily absent due to sickness or disability and has exhausted FMLA may apply for a leave with pay charging appropriate leave accruals. An employee also may apply for a leave with pay for non-medical reasons. Depending on the reason for the leave request, the employee is required to submit appropriate medical documentation and/or supporting documentation.

### **Leave Without Pay**

An employee who is necessarily absent due to sickness or disability and has exhausted all sick leave credits and other options must apply for a leave without pay, otherwise, the employee is considered absent without approval which will result in removal from payroll. Depending on the reason for the leave request, the employee is required to submit appropriate medical documentation and/or supporting documentation.

### **Other Leaves**

For information regarding other types of leave with or without pay, refer to the collective bargaining agreements or the Rules of the Chief Judge.